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EXAMINER

ELPENORD, CANDAL

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Response to Arguments

1. Applicant's arguments filed June, 2008 have been fully considered but they are not persuasive.

The Applicants alleged that Johansson '752 does not disclose "at least two consecutively arranged second mobility agents associated to the destination".

In response, the Examiner respectfully disagrees because Johansson does in fact disclose the above claimed features. In particular, Johansson discloses in fig. 3B, Router Agent 1 and Router Agent 2a in which there is an association.

Additionally, the notion that there is no destination address association between the mobility agent 1 and mobility agent 2 can not be valid because part of IP mobility requires that a care of address is assigned to mobile terminal once the mobile terminal ventures outside its home network.

The Applicants further alleged that Johansson '752 does not disclose "rerouting said route from one of said at least one first mobility agents directly to one of the at least two consecutively arranged second mobility agents such that at least one intermediate mobility agent in said route is bypassed in the resulting rerouted route".

In response, the Examiner respectfully disagrees because Johansson '752 does in fact disclose the above claimed limitations.

In particular, Johansson discloses bypassing the mobile node's home agent during in flight datagrams, paragraph 0020 in order to provide route optimization.

Regarding claims 1-2 and 11-12, the Applicants alleged that the combination of Leung '705 and Ramjee '462 fails to disclose "at least two consecutively arranged mobility agents associated to the destination".

The Applicants further alleged that the combination of Leung '705 and Ramjee '462 alleged that the combination does not disclose "rerouting the route from one of the at least one first mobility agent agents directly to one of the at least two consecutively arranged second mobility agents such that at least one intermediate mobility agent in the route is bypassed in the resulting rerouted route".

In response to applicant's argument (first), the Examiner respectfully disagrees, because the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981). In this case, The examiner asserts that combination of Leung '705 and Ramjee '462 when considered as a whole clearly teaches the "at least two consecutively arranged mobility agents associated to the destination" as referenced in fig. 2A, see Foreign Agent 10, and Router R1 (HA V, HA 1, HA 2, HA 3 connection to the mobile nodes (fig. 2A, Foreign Agent 10, recited in col. 8, lines 34-43, fig. 2A, Router R1 connecting HA V, HA 1, Ha , HA 3, col.7, lines 7-30). Additionally, there is

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association between the interconnected mobile devices with respect to registration (col. 4, lines 58 to col. 5, lines 3).

In particular, Ramjee '462 discloses bypassing the mobile device's home network with respect to route optimization as suggested in col. 4, lines 1-10.

Therefore, bypassing the mobile device home network is treated as rerouting the route by the examiner since the data packets are not being transmitted to the mobile device home network which implies that packets are being transmitted directly to mobile device via a different route.

In response to the Applicants' argument with respect to "rerouting the route from one of the at least one first mobility agent agents directly to one of the at least two consecutively arranged second mobility agents such that at least one intermediate mobility agent in the route is bypassed in the resulting rerouted route" in relation to Karagiannis '395; the Examiner did cite Karagiannis '395 to be disclosing "rerouting the route from one of the at least one first mobility agent agents directly to one of the at least two consecutively arranged second mobility agents such that at least one intermediate mobility agent in the route is bypassed in the resulting rerouted route". Therefore, that argument is moot.

The Applicant alleged that Johansson '752 does not disclose "at least two consecutively arranged mobility agents associated to the destination", "rerouting the route from one of the at least one first mobility agent agents directly to one of the at

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least two consecutively arranged second mobility agents such that at least one intermediate mobility agent in the route is bypassed in the resulting rerouted route".

In response to the Applicants', the Examiner respectfully disagrees because Johansson '752 does in fact teach route optimization where the mobile node's home network as suggested in paragraphs 0020, 0066, 0068.

In response to the Applicants' argument that Johansson '752 does not disclose "at least two consecutively arranged mobility agents associated to the destination", the Examiner respectfully disagrees because Johansson '752 does in fact disclose "at least two consecutively arranged mobility agents associated to the destination" as referenced in fig. 3a to fig. 3b which clearly association to a destination namely the mobile node 3, paragraphs 0074, 0077.

Regarding claim 21, the Applicants alleged that Lee '325 does not disclose " at least two consecutively arranged second mobility agents associated to said destination," and "rerouting means for performing, in response to said decision, a rerouting of said route from one of said at least one first mobility agents directly to one of the at least two consecutively arranged second mobility agents such that at least one intermediate mobility agent in said route is bypassed in the resulting rerouted route,".

In response, the Examiner respectfully disagrees because Lee '325 explicitly discloses bypassing the intermediate mobility agent (i.e. Home agent) after a tunnel is formed (col. 2, lines 13-17, col. 3, lines 54-62). Additionally, Lee '325 further discloses

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the at least two consecutively arranged mobility agents who are treated by the Examiner as the Border router and foreign agent Router of fig. 1 to fig. 3, respectively since the

Applicants define the two consecutively arranged mobility agent as the mobility edge devices (i.e. access router and edge router).

In view of the above reasons, given the well-established teachings of Lee '325, one skilled in the art would be motivated to bypass the intermediate mobility agent (i.e. home agent) resulting in the rerouting in order to reduce packet transmission delay as suggested in col. 4, lines 66 to col. 4, lines 9 for motivation.

/Candal Elpenord/

Examiner, Art Unit 2416